



DEPARTMENT OF NATURAL RESOURCES

DIVISION OF ENVIRONMENTAL QUALITY
P.O. Box 176 Jefferson City, MO 65102-0176

Site: Herculaneum
ID# MD0006246373
Break: LO
Other: _____
12-18-01

DEC 18 2001

Mr. Jeffrey Zelms, President
The Doe Run Resources Corporation
d/b/a The Doe Run Company
1801 Park 270 Drive, Suite 300
St. Louis, MO 63146

Dear Mr. Zelms:

The Department of Natural Resources made field observations on December 7 through 10, 2001, related to Doe Run's Herculaneum facility. Field observations indicate Doe Run has failed to implement corrective actions in the Order to Abate and Cease and Desist Violations issued by the department on September 25, 2001, which Doe Run has appealed. This letter specifies those failures and also outlines continuing and/or new hazardous substance emergencies potentially actionable under the Missouri Hazardous Waste Management Law, Sections 260.500 through 260.575, RSMo. The items enumerated below are based on reported field observations and other information, and may not be an exhaustive list of deficiencies with respect to the requirements of the Order and the need to abate hazardous substance emergencies. Even though Doe Run has appealed the Order, we are notifying you of these issues in an effort to persuade Doe Run to implement timely and appropriate corrective actions according to the Order and applicable laws and regulations because of the serious public health concerns related to Doe Run's operations.

1. The following field observations made by department personnel in relation to the Doe Run Herculaneum facility during the period of observation covered by this letter indicate failures to implement Section III. Corrective Actions Required of the Order, and/or a continuation of the hazardous substance emergency.

On December 7, 2001, department personnel reported observing a concentrate truck leaving the facility, and the city of Herculaneum, after unloading at the Doe Run facility with its trailer untarped. The truck was first observed with its untarped trailer weighing at the scale house after unloading. A department representative followed the truck through town along the main haul route, onto U. S. Highway 61/67 South (Commercial Boulevard), and then onto McNutt Road traveling toward Interstate 55. The license number of the trailer was Missouri NLM-034. The department obtained digital photographic documentation of this incident.

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SUPERFUND RECORDS

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Department personnel reported observing a heavy fugitive air emission from the facility on December 10, 2001, from about 11:13 to 11:23. The emission reportedly appeared to originate within the facility near the north end of the furnace building and the northeast side of the bag house near a large elbow duct as viewed from the intersection of Main and Curved Streets. The emission was initially black in color, and then became brownish in color. The emission appeared to be particulate, and the plume was observed traveling north-northwest across Main Street over the city of Herculanum. The opacity of the emission was at least 80% for approximately five minutes, and then fell to 20% to 25% opacity after about ten minutes. Department personnel reported discussing this matter with Mr. James Lanzafame of Doe Run. Mr. Lanzafame reported the facility had experienced a problem with the furnace, and stated he would provide to the department specific information on the incident. This emission was similar in color and apparent location of origin to the emission observed by department personnel on November 17, 2001, which was documented in a previous letter.

During the observation period covered by this letter, department personnel reported observing visible dust on roads near the facility, particularly along the sides of the roads.

During the observation period covered by this letter, vehicles from the Herculanum wastewater treatment facility were observed proceeding onto the public streets of Herculanum without stopping to wash.

During the observation period covered by this letter, department personnel observed vehicles departing from the south end of the facility after washing, passing over roads with visible dust, thereby tracking dust along the public streets of Herculanum. We assume the roads in these areas are contaminated unless or until it is demonstrated otherwise.

During the period of observation covered by this letter, department personnel reported not observing any concentrate trailer beds being washed at any time. Concentrate trailer beds should be washed after delivery of each load of concentrate to the facility. It has been previously reported that trailer beds have been washed only at the end of each shift. However, it is unclear if the beds of concentrate trailers are currently being washed at any time.

Department personnel reported observing visible dust emissions created by a loader working in the yard within the facility during the period of observation covered by this letter.

Field observation reports for the period of observation covered by this letter indicate street sweeper operation only on roads near the facility. It appears that street cleaning is no longer routinely conducted along the entire extent of the hauling routes through Herculanum.

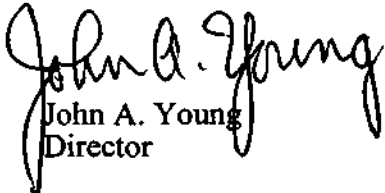
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2. Doe Run has been using its new concentrate unloading station since on or about November 19, 2001. Department personnel have reported that all concentrate trucks are not being washed after unloading at the new unloading station, and those that are washed only receive washing of rear components of the trailer (tailgate, mudflaps, rear tires, etc.). The department has approved any modification of truck washing procedures required in the Order. Doe Run has not demonstrated that the public roads in Herculaneum have been cleaned to acceptable levels. Doe Run has not demonstrated to the department's satisfaction that the new concentrate unloading station, and other measures implemented by Doe Run will prevent further releases of hazardous substances and the continued spread of contamination onto the public roads and other areas in Herculaneum. Residual concentrate on the outside of trucks from loading and unloading operations and vehicles tracking contaminated materials from within the facility, including the new concentrate unloading station, onto public roads may continue to be sources of contamination in the community. Doe Run must wash concentrate trucks and all other vehicles leaving the facility in accordance with Section III. Corrective Actions Required, paragraph 1 of the Order.
3. Doe Run has not implemented corrective actions specified in the Order according to the schedules in the Order, as has been outlined in detail in previous letters. The department believes Doe Run must implement all corrective actions specified in the Order to remediate existing contamination from hazardous substance releases and prevent additional releases and contamination.

Please contact Mr. Dan Schuette at (573) 751-1387 if you have any questions about this letter.

Sincerely,

AIR AND LAND PROTECTION DIVISION


John A. Young
Director

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